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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,218	03/26/2004	Elva Lee Martyn	14676	8393
39747	7590	03/14/2006		
GOLDSTEIN LAW OFFICES, P.C. 2071 CLOVE ROAD - 204 STATEN ISLAND, NY 10304			EXAMINER GOINS, DAVETTA WOODS	
			ART UNIT 2632	PAPER NUMBER

DATE MAILED: 03/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/810,218

Applicant(s)

MARTYN, ELVA LEE

Examiner

Davetta W. Goins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 is/are allowed.
- 6) ☒ Claim(s) 2 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Allowable Subject Matter

1. Claim 1 is allowed.
2. The following is a statement of reasons for the indication of allowable subject matter:

Guyre (US Pat. 6,950,033 B1) discloses a door bolt alarm system including a sensor within the housing of a bolt to determine the bolt's position. A switch is activated when the deadbolt changes states and a transmitter located, within the bolt housing, will transmit a signal to a remote location to give an indication that the deadbolt is either in a locked or an unlocked position (Columns 7-10). Soloway et al. (US Pat. 6,225,903 B1) discloses an alarm system that is connected to the deadbolt of a door. A control panel (beside the door) is used to monitor various zones within a building after the system is armed or disarmed based on the position of the deadbolt (Columns 6-8). However, neither Guyre, Soloway et al., nor any other prior art of record disclose in combination or in their entirety the claimed electronic security system including a transmitter within a dead bolt housing including an activation switch in communication therewith, an activation switch being positionable adjacent to the existing door assembly; and a receiver in communication with the transmitter, the receiver having an internal alarm annunciator with a corresponding on/off switch.
3. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Objections

4. Claim 2 is objected to because of the following informalities: In lines 12 and 15, the word “enunciator” should be changed to “annunciator”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claim 2 is rejected under 35 U.S.C. 102(e) as being anticipated by Guyre (033 B1).

In reference to claim 2, Guyre discloses the claimed electronic security system comprising a) the claimed transmitter positionable within a dead bolt housing within a door jamb of an existing door assembly, the transmitter being engaged when a dead bolt is positioned within the dead bolt housing in a locked orientation, the transmitter emitting a signal once the dead bolt is removed, the transmitter including an activation switch in communication, the activation switch positioned adjacent to the existing door assembly, which is met by recess 15 of a door frame 13 includes a magnetic plate 32 and a transmitter 34. The transmitter 34 transmits signals to a remote location to give an indication that the bolt is either in a locked or unlocked position (col. 9, lines 8-67; col. 10, lines 1-52), and b) the claimed receiver in communication with the transmitter, the receiver having an internal alarm annunciator, the receiver receiving the signal from the

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transmitter thereby activating the internal alarm annunciator upon removal of the dead bolt from within the dead bolt housing, which is met by indicator 14 and/or user remote indicator 24 including both an audible indicator 18 and visual indicator 16 to notify the user as to which position the deadbolt is in (Figures 1 and 2; column 7, lines 35-67).

7. Applicant's arguments with respect to claims 1-3 have been considered but are moot in view of the new ground(s) of rejection.

8. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure as follows. Pease, Jr. et al. (US Pat. 5,311,168) and Dezso (US Pat. 5,490,698), which disclose door lock alarms.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957. The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



D.W.G.
March 7, 2006

Davetta W. Goins
Primary Examiner
Art Unit 2632